

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Kyl L. SMITH

Serial No.: 10/519,515

Filed: December 7, 2004

For: COMPOSITIONS FOR IMPROVING
MENTAL PERFORMANCE

Group Art Unit: 1655

Examiner: Michele C. FLOOD

Confirmation No.: 2543

Power of Attorney by Assignee and Certification
Under 37 CFR §3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, the undersigned, acting on behalf of the Assignee of the entire right, title and interest in the above-identified patent application, by virtue of the Assignment recorded September 23, 2008 at Reel/Frame 021594/0242, appoint the attorneys and agents listed below to prosecute this application and transact all business with the U.S. Patent and Trademark Office in connection therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 CFR 3.71.

All prior powers of attorney for this application are hereby revoked. The Assignee hereby appoints all of the registered practitioners identified by Customer Number 34055:

Perkins Coie LLP
Patent – LA
P.O. Box 1208
Seattle, WA 98111-1208
Phone: (310) 788-9900
Fax: (310) 788-3399.

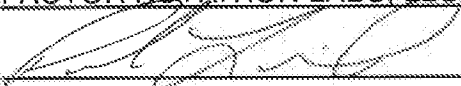
Please direct all inquiries to Joseph P. Hamilton at the above Customer Number.

Direct all telephone calls to Joseph P. Hamilton at (310) 788-3271. Address all correspondence to:

Customer No. 34055
Perkins Coie LLP
P.O. Box 1208
Seattle, Washington 98111-1208
(310) 788-9900

In accordance with 37 CFR 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee, as evidenced by the Assignment noted above.

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC §1001 and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

ASSIGNEE: FACTOR NUTRITION LABS, LLC
Signature: 
Typed Name: Paul Levinson
Title: CEO
Date: 7/20/10
Address: 100 Commercial Street, Suite 200
Portland, ME 04101